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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/695,195
		Filing Date	10/27/2003
		First Named Inventor	Jacqueline C. TIMANS
		Art Unit	1646
		Examiner Name	P.M. Mertz
Total Number of Pages in This Submission	3	Attorney Docket Number	DXQ904KB

ENCLOSURES (Check all that apply)

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Remarks: 1. Response to Restriction Requirement (2 pages)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Sheela Mohan-Peterson, Reg. No. 41,201 DNAX Research, Inc. 901 California Ave. Palo Alto, CA 94304-1104
Signature	<i>Sheela Mohan-Peterson</i>
Date	21-Sept-2005

CERTIFICATE OF TRANSMISSION/MAILING

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Attorney Docket: DX0904KB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of:

Jacqueline C. Timans

Application No.: 10/695,195

Filed: October 27, 2003

For: MAMMALIAN CYTOKINES;
RELATED REAGENTS AND
METHODS

Examiner: P.M. Mertz

Art Unit: 1646

Conf. No.: 4584

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 21, 2005.

by:


MELANIE LYONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is a response to the Restriction Requirement dated August 23, 2005.

I. Restriction Requirement

The Examiner restricted the application into 2 separate inventions:

- I. Claims 21 - 24, drawn to a polypeptide comprising in amino acid sequence set forth in SEQ ID NO:2 or SEQ ID NO:4, classified in Class 424, subclass 85.1.
- II. Claim 25, drawn to a method of producing a polypeptide comprising a amino acid sequence set forth in SEQ ID NO:2 or SEQ ID NO:4, classified in class 435, subclass 69.5.

Applicants provisionally elect Group I, Claims 21 – 24 whose claims are drawn to a polypeptide comprising in amino acid sequence set forth in SEQ ID NO:2 or SEQ ID NO:4, classified in Class 424, subclass 85.1, for example, as discussed in the present Restriction Requirement.

Applicants will address the issue of inventorship for the elected claims and amend inventorship appropriately if the elected restriction is made final.

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Applicants reserve the right to file subsequent applications claiming the non-elected subject matter and do not waive any of their rights or abandon any non-elected subject matter. Since Applicants have fully and completely responded to the Restriction Requirement and have made the required election, this application is now in order for early action.

If the Examiner believes that a telephone conference would aid the prosecution of this case in any way, please call the undersigned.

Applicants believe that no fees are due with the present timely response, however, the Commissioner is hereby authorized to charge any additional fees or credit overpayment to DNAX Deposit Account No. 04-1239.

Respectfully submitted,

Date: 21-Sept-2005

By: 
Sheela Mohan-Peterson,
Reg. No. 41,201
Attorney for Applicants

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